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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/565,147

01/19/2006

Yang Peng

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08/28/2008

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

KANAAN, SIMON P

ART UNIT

PAPER NUMBER

4148

MAIL DATE

DELIVERY MODE

08/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/565,147	Applicant(s) PENG ET AL.	
	Examiner SIMON KANAAN	Art Unit 4148	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☒ Claim(s) 4, 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/12/2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/19/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

1. The instant application having Application No. 10565147 filed on 01/19/2006 is presented for examination by the examiner.

Specification

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

3. As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- A. TITLE OF THE INVENTION.
- B. CROSS-REFERENCE TO RELATED APPLICATIONS.
- C. STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- D. THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- E. INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- F. BACKGROUND OF THE INVENTION .
 - I. Field of the Invention.
 - II. Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- G. BRIEF SUMMARY OF THE INVENTION.
- H. BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- I. DETAILED DESCRIPTION OF THE INVENTION.
- J. CLAIM OR CLAIMS (commencing on a separate sheet).
- K. ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- L. SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Drawings Objection

4. Figure 1 and Figure 4 both have a label 25 which refers to two different entities. In figure 1 label 25 refers to asset key while in figure 4 label 25 refers to the URL, decryption key and password.

Information Disclosure Statement

5. The information disclosure statement (IDS) submitted on January 19, 2006. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Objections

6. Claim 4 contains the word “rightsstring” which has no antecedent bases. It also is never defined in the specification. In addition, it is spelled as “rightsstring” in the specification and claims but as “rightstring” in figure 2. label 26, first row. It will be assumed that the proper spelling is “rightsstring” and its definition is a variable which stores text.

7. Claim 7 has the words: “synchronisation” and “synchronising” misspelled. They should be spelled as: “synchronization” and “synchronizing”.

Claim Rejections – 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office actions:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1, 2, 3, 4, 6, 7, 8, 9 and 10 are rejected under U.S.C. 102(b) as being anticipated by Kelly et al. (US 2003/0072453).

As in claim 1, Kelly discloses “Record carrier (*figure 1, label 101*), comprising a data area (*page 2, paragraph 28 lines 2 and 3, content stored on record carrier is data*) for storing carrier data and a key locker area (*page 2, paragraph 34, lines 2 and 3, key locker area is a specific area on the record carrier such as a Lead-in area*) for storing a network data identifier (URL) identifying network data related to said carrier data stored (*page 2, paragraph 31, lines 1, 2, and 3, indication of some kind to additional content can be a URL which is a common network identifier*) in a network (*figure 1, label 130*) to be used for retrieval of said network data (*figure 1, label 151*) from said network and for storing a decryption key (DK) to be used by a read-out device (*figure 1, label 110*) for decryption of encrypted network data.” (*pages 2 and 3, paragraph 35 lines 2 through 7 respectively, record carrier stores encryption key which is decrypted to generate a decryption key*)

As in claim 2, Kelly discloses “Record carrier as claimed in claim 1, wherein said network data identifier comprises a network address (URL)), indicating an address or a group of addresses within a network at which said network data are stored”. *(page 1, paragraph 6 lines 3 through 5, a URL is a commonly used identifier to a website, the website contains additional information)*

As in claim 3, Kelly discloses “Record carrier as claimed in claim 1 *(see claim 1 examiner comments above)*, wherein said key locker area is further adapted for storing a password or a certificate for authentication to be used by a read-out device for getting access to password-protected network data or network data requiring authentication, respectively.” *(page 1, chapter 11, lines 1 through 5 and 10 through 12, an authentication control code can be considered a certificate of authentication and is used to decrypt additional data)*

As in claim 4, Kelly discloses “Record carrier as claimed in claim 1 wherein said network data identifier (URL) and said decryption key (DK) is stored in the rightsstring of said key locker area.” *(page 2, paragraph 34 lines 1 through 2, Kelly states that the encryption disk key is stored in so called lead-in area, the position where it is stored is considered the “rightsstring”, this key is decrypted to get the decryption key as well as the title encryption keys which access additional material more securely than a URL as stated in Kelly page 1, chapter 7 lines 1 through 3)*

As in claim 6, Kelly discloses “Read-out device, (*figure 1, label 110*), for reading carrier data from a record carrier, (*figure 1, label 101*), and network data related to said carrier data stored in a network comprising a reading means for reading carrier data from a data area of said record carrier and for reading a network data identifier (URL) identifying said network data, (*page 2, paragraph 31, lines 1, 2, and 3, indication of some kind to additional content can be a URL which is a common network identifier*), and a decryption key (DK) to be used for decryption of encrypted network (*pages 2 and 3, paragraph 35 lines 2 through 7 respectively, record carrier stores encryption key which is decrypted to generate a decryption key*) data from a key locker area (*page 2, paragraph 34, lines 2 and 3, key locker area is a specific area on the record carrier such as a Lead-in area*) of said record carrier, and an application unit for running an application and for retrieving said network data from said network, (*page 2, paragraph 31, lines 8 through 11, the software used allowing user to choose whether to retrieve the additional information as well as the process of retrieving the additional information the application unit*), said application unit comprising an access means for accessing a network unit of said network to retrieve said network data, a check unit for checking if said network data identifier (URL) corresponds with said network unit and a decryption unit for decryption of retrieved encrypted network data.” (*page 3, paragraph 37, lines 8 through 11*)

As in claim 7, Kelly discloses “Read-out device as claimed in claim 6, further comprising a synchronisation unit for synchronising said retrieved network data with said carrier data.” (*page 1, paragraph 17, lines 1, 2 and 7 through 10, the device comprises of synchronization means*)

As in claim 8, Kelly discloses “Read-out device as claimed in claim 6, further comprising channel creation means for establishing secure authentication channels between said application unit and said reading means and/or said network unit.” *(page 3, paragraph 37, lines 3 through 6 and paragraph 41 lines 6 through 10, authentication with session keys provide a secure channel for exchange of data)*

As in claim 9, Kelly discloses “Read-out device as claimed in claim 6, wherein said reading means is a small form factor optical drive.” *(page 2, paragraph 28, lines 1 and 2, a dvd drive is a small form factor optical drive)*

As in claim 10, Kelly discloses “Read-out method for reading carrier data from a record carrier and network data related to said carrier data stored in a network comprising the steps of: reading carrier data from a data area of said record carrier *(page 2, paragraph 28 lines 3 and 4, dvd reads data off of record carrier)*, reading a network data identifier (URL) identifying said network data *(page 2, paragraph 31, lines 1, 2, and 3, indication of some kind to additional content can be a URL which is a common network identifier)* and a decryption key (DK). *(pages 2 and 3, paragraph 35 lines 2 through 7 respectively, record carrier stores encryption key which is decrypted to generate a decryption key)* to be used for decryption of encrypted network data from a key locker *(page 2, paragraph 34, lines 2 and 3, key locker area is a specific area on the record carrier such as a Lead-in area)* area of said record carrier, accessing a network unit of said network to retrieve said network data from said network, checking if said network data identifier (URL) corresponds with said network unit, and decrypting retrieved encrypted network data.” *(page 3, paragraph 37, lines 3 through 6 and paragraph 41 lines 6 through 10, authentication with session keys provide a secure channel for exchange of data)*

Claim Rejections – 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al. (US 2003/0072453) in view of Shteyn et al. (US 2002/0116471 A1)

As in claim 5, Kelly discloses record carrier as claimed in claim 4 but does not disclose that the rightsstring can be updated by a trusted application running on a read-out device.

However, Shteyn discloses that the user profile can be updated by a processor. (page 4, chapter 35, lines 1 through 13, user profile is considered the “rightsstring” and is stored on a specific area.)

Kelly and Shteyn are analogous art because they are in the same field of endeavor of computer data security.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the rightsstring of Kelly et al. with the rightsstring of Shteyn et al. in order to add the user’s preference or to provide security measures as noted in Shteyn (page 4, paragraph 34).

Conclusion

12. The following prior art made of record and not relied upon is cited to establish the level of skill in the applicant's art and those arts considered reasonably pertinent to applicant's disclosure. See **MPEP 707.05(c)**.

13. The following reference teaches execution of trial data:

US 2002/0004903 A1

US 2002/0168070 A1

US 2004/0133571 A1

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SIMON KANAAN whose telephone number is (571)270-3906. The examiner can normally be reached on Mon-Thurs 7:30-5:00 EST.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Pham can be reached on 5712723689. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thomas K Pham/
Supervisory Patent Examiner, Art Unit 2121

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